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**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FILED
 10/21/21 11:37 am
 CLERK
 U.S. BANKRUPTCY
 COURT - WDPA

In re: : Case No.: 19-24544-GLT
 : Chapter: 13
 Andrea Watson-Lindsey :
 :
 :
 :
 Debtor(s). : Date: 10/20/2021
 : Time: 09:00

PROCEEDING MEMO

MATTER: # 89 - Oral Motion of the Chapter 13 Trustee to Convert Case to Chapter 7
 # 91 - Response filed by the Debtor

83 Con't Motion for Relief from Stay 2538 Allequippa Street, Pittsburgh, PA 15213
 filed by Community Loan Servicing, LLC f/k/a Bayview Loan Servicing LLC
 # 86 - Response filed by the chapter 13 trustee

APPEARANCES:

Debtor: Lawrence W. Willis
 Trustee: Owen Katz
 Community: Maria Miksich

NOTES: [9:25am]

Katz: The trustee reaffirms the motion to convert. We're 2 years into the case without significant progress. We suspect the delay has been highly prejudicial to the unsecured creditors. There is substantial equity to make this a 100% plan, either through monthly payments or an asset sale. The plan was previously in arrears totalling \$18,000. The equity cushion in the real estate has been eroded by the Debtor's failure to pay real estate taxes.

Willis: The total estate value is \$263,000 against liens totalling \$49,000. At this time, the trustee's arrears show \$19,000 with the last payment dating back to April. The last full plan payment was in October 2020. The real estate taxes are also unpaid. Debtor lost her job and took short-term disability.

Court: I have an undisputed record with respect to plan payments. Something has to happen with this case. When there is equity, the scale tips towards conversion.

Willis: I ask the Court to provide me with 30 days so I can work with the Debtor to sell this property.

Miksich: We take no position on the question of conversion.

Katz: I would just highlight that the chapter 7 trustee would hire a broker and market this property (as opposed to the sheriff sale route).

Court: I do find cause to either dismiss or convert. We are in month 23 and the Debtor has not made a full plan payment since October 2020, and no payments since April 2021. In addition, real estate taxes are unpaid. The plan does not appear to be feasible and debtor has done nothing to date to advance a sale. Due to the equity in the estate property, I find that it is in the best interest of creditors to convert this case. I will continue Community's motion for stay relief until sometime in January 2022.

OUTCOME:

1. The *Oral Motion of the Chapter 13 Trustee to Convert Case to Chapter 7* [Dkt. No. 89] is GRANTED. [HT to Issue standard conversion order to chapter 7]

2. The *Con't Motion for Relief from Stay 2538 Allequippa Street, Pittsburgh, PA 15213 filed by Community Loan Servicing, LLC f/k/a Bayview Loan Servicing, LLC* [Dkt. No. 83] is CONTINUED to January 12, 2022 at 9 a.m. [Text Order to Issue]

DATED: 10/20/2021